

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADADarriana Humphrey,  
Plaintiff,

v.

Henderson County Detention Center,  
Defendant.

Case No. 2:24-cv-00116-GMN-EJY

**ORDER**

On August 23, 2024, the Court entered an Order giving Plaintiff until September 20, 2024 to file her updated address with the Court. ECF No. 14. Plaintiff subsequently filed her Notice of Change of Address on August 29, 2024, indicating she is no longer incarcerated and in a Minneapolis, Minnesota treatment facility. ECF No. 15. In light of the foregoing, the Court denies as moot Plaintiff's Motion to Order Henderson County Detention Center to sign her financial documents (ECF No. 9) and *in forma pauperis* ("IFP") application for inmates (ECF No. 12). Plaintiff is now directed to file an IFP application by a non-prisoner or pay the \$405 filing fee.

Plaintiff has also filed a Motion to Amend Complaint or in the alternative, seeking the Court issue pretrial discovery. ECF No. 11. It is unclear to the Court whether Plaintiff seeks to amend the Complaint or add additional information to her Complaint. The Court will not piecemeal Plaintiff's Complaint together from multiple filings. Plaintiff's Complaint must contain all claims, defendants, and factual allegations she wishes to pursue in this lawsuit. Accordingly, the Court grants the Motion to Amend and gives Plaintiff one opportunity to file a single, complete, first amended complaint on or before November 18, 2024. If Plaintiff does not file a first amended complaint by or before that date, the Court will screen the initial Complaint and will not consider any allegations in the Motion to Amend.

Plaintiff is advised that an amended complaint supersedes (replaces) the original Complaint, and, thus, the amended complaint must be complete in itself. *See Hal Roach Studios, Inc. v. Richard Feiner & Co., Inc.*, 896 F.2d 1542, 1546 (9th Cir. 1989) (holding that "[t]he fact that a party was named in the original complaint is irrelevant; an amended pleading supersedes the original"); *see*

1 *also Lacey v. Maricopa Cnty.*, 693 F.3d 896, 928 (9th Cir. 2012) (holding that for claims dismissed  
2 with prejudice, a plaintiff is not required to reallege such claims in a subsequent amended complaint  
3 to preserve them for appeal). Plaintiff's amended complaint must contain all claims, defendants,  
4 and factual allegations she wishes to pursue in this lawsuit.

5 Finally, Plaintiff has also filed three Motions for Status Update. ECF Nos. 16, 17, 18. In her  
6 first Motion, Plaintiff states that her case was dismissed without prejudice, and she seeks to reinstate  
7 it. ECF No. 16 at 1-2. Plaintiff may have intended to file her first Motion for Status Update in a  
8 different case, or she may have misunderstood the Court's Orders in this case; however, this case  
9 has never been dismissed, and does not need to be reinstated. In her other Motions, Plaintiff inquires  
10 about the status of her IFP application. ECF Nos. 17, 18. As the Court explained above, now that  
11 Plaintiff is no longer incarcerated, she must file an IFP application for a non-inmate. The Court  
12 grants Plaintiff's Motions for a Status Update to the extent that this Order answers her questions.

13 Accordingly, IT IS HEREBY ORDERED that Plaintiff's application to proceed *in forma*  
14 *pauperis* for inmates (ECF No. 12) and Motion to Require Henderson County Detention Center to  
15 sign her financial documents (ECF No. 9) are DENIED as moot.

16 IT IS FURTHER ORDERED that on or before **November 18, 2024**, Plaintiff must either  
17 pay the \$405 filing fee in full or file an application to proceed *in forma pauperis* for non-inmates.

18 IT IS FURTHER ORDERED that the Clerk of the Court send Plaintiff the approved form  
19 application to proceed *in forma pauperis* by a non-prisoner, as well as the document entitled  
20 information and instructions for filing the same.

21 IT IS FURTHER ORDERED that Plaintiff's Motion to Amend Complaint (ECF No. 11) is  
22 GRANTED. Plaintiff must file any amended complaint on or before **November 18, 2024**.

23 IT IS FURTHER ORDERED that the Clerk of the Court send Plaintiff the approved form  
24 for filing a § 1983 complaint, instructions for the same, and a copy of her original Complaint (ECF  
25 No. 1-1).

1 IT IS FURTHER ORDERED that Plaintiff's Motions for Status Update (ECF Nos. 16, 17,  
2 18) are GRANTED to the extent that this Order explains the current status of this case.

3 DATED this 17th day of October, 2024.

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6 ELAYNA J. YOUCHAH  
7 UNITED STATES MAGISTRATE JUDGE  
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